



City of Milpitas

City of Milpitas
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City of Milpitas



PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

R3 ZONING DISTRICT (MULTI-FAMILY HIGH DENSITY)

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WHAT IS A R3 ZONE?

The R3 District is intended to protect the residential characteristics of the district and promote a suitable environment for family life.

HOW CAN I FIND OUT THE ZONING REQUIREMENTS FOR MY PROPERTY?

You may contact the City of Milpitas Planning Department.

Please supply the following information:

- Street Address
- Assessor's Parcel Number (APN number (if available)

WHAT ARE THE PERMITTED USES IN THE R3 ZONE?

The following uses are permitted in a R-3 zone:

- Multiple dwellings
- Planned Unit Developments
- Agriculture except the raising of animals or fowl for commercial purposes or the sale of any products at retail on the premises
- Second family units in conjunction with existing legal single-family dwellings.

WHAT ACCESSORY USES ARE PERMITTED IN THE R3 DISTRICT?

- Boarding houses for not more than two persons
- Home occupations and professional offices
- Family day care home, foster home or group home serving six or fewer mentally disordered or otherwise handicapped persons or dependent or neglected children providing care on a 24-hour basis
- Small family day care home
- Large family day care home

WHAT CONDITIONAL USES ARE PERMITTED IN THE R3 DISTRICT ON APPROVAL BY THE PLANNING COMMISSION?

- Boarding houses for three or more persons
- Group dwellings
- Hospital, sanitarium or licensed nursing home exceeding 6 persons except for the following: clinic, animal hospital, and hospital, sanitarium, or nursing home used primarily for contagious, mental or drug or alcohol addict cases
- Child care center
- Incidental services, such as restaurants and retail sales to serve residents, provided there is no exterior display or advertising and such activities are conducted in spaces which are integral parts of a main building, excluding adult businesses
- Social halls, lodges, fraternal organizations and clubs, except those operated for a profit
- School, park, playground or community center operated by a governmental agency or a non-profit community organization
- Permanent religious assembly buildings
- Public service structures not including corporation yards, storage or repair yards and warehouses
- Golf course
- Temporary tract offices and tract signs
- Condominiums
- Condominium conversions

WHAT ARE THE HEIGHT REQUIREMENTS IN THE R3 DISTRICT?

- Principal buildings may be 3 ½ stories and 35 feet high
- Accessory buildings may be 2 stories and 25 feet high
- Height restriction can be waived where a Planned Unit Development (PUD) has been approved at a density in excess of 20 dwelling units per acre

WHAT ARE THE LOT AREA AND LOT WIDTH REQUIREMENTS IN THE R3 DISTRICT?

- Lot area – 8,000 square feet
- Lot area per dwelling unit – 2,000 square feet (can be waived where a Planned Unit Development (PUD) has been approved at a higher density)
- Lot width – 70 feet

WHAT ARE THE SIDE YARD REQUIREMENTS IN THE R3 DISTRICT?

- One story – One side 5 feet, total of both sides 12 feet
- Two to two and ½ stories – One side 10 feet, total of both sides 25 feet
- Three to three and ½ stories – One side 12 feet, total of both sides 30 feet

WHAT ARE THE SIDE YARD REQUIREMENTS FOR CORNER LOTS IN THE R3 DISTRICT?

- Interior side yards are the same as for interior lots
- Street side yards are ½ of the front yard setback, not to exceed 10 feet and may not be less than the interior side yard requirement

WHAT ARE THE REAR YARD REQUIREMENTS IN THE R3 DISTRICT?

- One story – 30 feet
- Two to two and ½ stories – 35 feet
- Three to three and ½ stories – 40 feet

WHAT ARE THE REQUIREMENTS FOR EFFICIENCY APARTMENTS?

- If all requirements of this district are met, the required area per dwelling unit may be reduced to 1,000 square feet for each efficiency apartment contained in a multiple-family dwelling

WHAT ARE THE LANDSCAPE AND OPEN SPACE REQUIREMENTS IN THE R3 DISTRICT?

- Minimum 25% of the total lot area, not including paved parking areas, must be landscaped or recreational open space, exclusive of parking and vehicular traffic area
- An average of 200 square feet of usable open space shall be provided for each dwelling unit and shall have a minimum dimension of 6-feet and not be used for storage or movement of motor vehicles except that yards abutting a public street, which are not adequately screened for privacy, in the opinion of the Planning Commission shall not qualify as usable open space
- Balconies, porches or roof decks may be considered usable open space when properly developed for work, play or outdoor living areas
- At least 30% of the required open space shall be contiguous to and provide for private usable open space of the individual dwelling unit
- Midtown Plan Area – 3.5 acres per 1000 person (two acres as public park and 1 ½ acres of private recreational facilities)
- Rest of the City – 5 acres per 1000 person (three acres as public park and 2 acres of private recreational facilities)
- In-lieu fees for recreational open space requirements are based on the fair market value of an acre of land in Milpitas for land that would otherwise have been required to be dedicated

WHAT ARE THE ON-SITE UTILITIES REQUIREMENTS FOR THE R3 DISTRICT?

- Where the allowable dwelling units exceed 6 units on a single parcel or the total area to be subdivided exceeds 3 acres, all on-site utilities are to be placed underground
- Television antennas are to be centralized for structures of 4 or more units

WHAT ARE THE AUTOMOBILE PARKING AND LOADING REGULATIONS IN THE R3 DISTRICT?

- Two spaces for each dwelling
- Additional guest parking equal to 20% of the total required
- Required parking must be located to the rear of the front setback line
- Standard parking spaces must be 9-feet wide and 18-feet long
- Compact parking spaces must be 7.5-feet wide and 15-feet long
- Tandem parking spaces must be a maximum of 2 parking spaces deep
- One parking spaces is required for each efficiency apartment
- If two spaces are required, one must be covered
- Efficiency apartments may provide an uncovered parking space
- If two spaces are required, two tandem paces shall be allowed for each unit
- All tandem spaces shall be assigned and marked for residents only
- A maximum of 40% of parking may be compact parking spaces
- No compact spaces are allowed for guest parking

CONFORMANCE WITH THE MIDTOWN SPECIFIC PLAN:

The Midtown Specific Plan policies as well as the Design Guidelines and Standards set forth in Chapter 8 of the Plan, shall apply to all properties within the Midtown areas if any one or more of the following occurs:

- Whenever a new building is constructed regardless of size; or
- Whenever the use of an existing building is expanded or changed to a use requiring 50% or more off-street parking spaces, as determined by the City’s adopted parking standards; or
- Whenever an existing building is increased in gross floor area by 10% of the existing gross floor area or is enlarged by 500 or more square feet, whichever is less
- If exterior building or site improvements (including signage) are proposed that do not fall under the three above requirements such improvements shall be designed to conform to the Midtown policies, guidelines and standards applicable to the improvements, without requiring additional Midtown-related improvements to be imposed

OTHER REQUIREMENTS?

For answers to other questions on topics, you may contact the Planning Department.

Note: The Midtown Specific Plan and the Zoning Ordinance are available on the Internet at <http://www.ci.milpitas.ca.gov>.